THE HON'BLE SRI JUSTICE C.V.RAMULU

WRIT PETITION No.20772 OF 2000

Dated:21.07.2006

Between:

Sri Chigurupati Nageswara Rao S/o Somaiah
R/o Chinamallipadu Village,
Akiveedu Mandal, West Godavari District.

... PETITIONER

And:

The Government of A.P., rep., by its Secretary,
Irrigation Department, Secretariat,
Hyderabad and others.

...**RESPONDENTS**

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ORDER:

This writ petition is filed seeking a mandamus directing that no water cess shall be levied on the petitioner for the use of water from the Kolleru Lake area by the bed and belt villages, namely Chinamallipadu village, Akiveedu Mandal, West Godavari District, and also direct the third respondent to issue pattadar pass books to the petitioner for his lands in Sy.Nos.708/1, 708/2, 708/3, 708/4, 708/5, 709/4, and 709/5, totally admeasuring Ac.6.92 cents.

While admitting the writ petition, an interim order was passed directing the respondents not to collect any water cess from the petitioner, until further orders. Now, the learned counsel for the respondents submits that the petitioner is drawing water from the river and not from the drain, as stated by him, and therefore, he is liable to

pay the cess for the water drawn by him for irrigating his lands.

In view of the above submission, without going into the merits of the case, the 4th respondent is directed to treat this very writ petition as a representation, and consider the grievance of the petitioner, after putting him on notice and hearing him personally. Till such time, the water cess shall not be collected from the petitioner.

The writ petition is accordingly disposed of. No order as to costs.

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21.07.2006

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